

Patrick M. Lynch, Esq.  
State Bar Number 24065655  
QUILLING, SELANDER, LOWNDS, WINSLETT & MOSER, P.C.  
2001 Bryan Street, Suite 1800  
Dallas, TX 75201  
(214) 871-2100 (telephone)  
(214) 871-2111 (telefax)  
Email: [plynch@qslwm.com](mailto:plynch@qslwm.com)

Attorneys for FreedomRoad Financial

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

IN RE: §  
§  
§  
Joe Bob Scroggins, § Case No. 22-41027-mxm13  
§  
§  
Debtor. §

**FREEDOMROAD FINANCIAL'S OBJECTION TO DEBTOR'S MOTION  
FOR CONTINUATION OF THE AUTOMATIC STAY**

COMES NOW FREEDOMROAD FINANCIAL, a secured creditor and party-in-interest in the above-styled bankruptcy case, and files this its Objection to Debtor's Motion for Continuation of Automatic Stay, and respectfully shows as follows:

1. FREEDOMROAD FINANCIAL objects to the Debtor's Motion for Continuation of Automatic Stay on the grounds that Debtor has failed to show that his recent bankruptcy filing was filed in good faith as to the creditors to be stayed.
2. Pursuant to 11 U.S.C. § 362(c)(4), Debtor must demonstrate that despite the dismissal of the previous Chapter 13 bankruptcy case which was pending within the previous year, the filing of the instant case was made in good faith as to the creditors to be stayed. FREEDOMROAD FINANCIAL asserts that Debtor will be unable to demonstrate good faith in order to be granted relief in the form of a Continuation of the automatic stay.

3. Debtor filed his prior voluntary petition under Chapter 13 of the Bankruptcy Code on February 18, 2022 in Case 22-40352-mxm13; this case was dismissed on March 30, 2022 for failure to make plan payments. Debtor never completed the Section 341 First Meeting of Creditors in Case 22-40352-mxm13.

4. Debtor's instant case was filed on May 3, 2022. Debtor now seeks to have the Court grant his Motion for Continuance of the Automatic Stay, but fails to show in his pleadings or by his actions that this case was filed in good faith. Debtor's schedules indicate that Debtor is unemployed.

5. FREEDOMROAD FINANCIAL is the holder of a security interest in the following owned by the Debtor: 2022 KTM 350 EXC-F dirt bike, VIN: VBKEXG409NM221177 (the "Collateral"). This Collateral was impounded and thereafter recovered by FREEDOMROAD FINANCIAL after paying storage fees. On information and belief, Debtor was arrested for evading police on a vehicle, which may have involved the Collateral.

6. A Motion for Relief regarding the Collateral is being filed contemporaneously with this Objection. The account is delinquent in the amount of \$12,638.19. Debtor has made only one payment since the inception of the loan on August 26, 2021.

7. The pre-petition arrears total \$12,638.19. Debtor should not be permitted to abuse the bankruptcy process further and should not be allowed to take possession of the Collateral. As such, FREEDOMROAD FINANCIAL requests that this Bankruptcy Court deny the Debtor's Motion for Continuation of the Automatic Stay as to all creditors, including FREEDOMROAD FINANCIAL, or alternatively to deny Continuation of the automatic stay specifically as to FREEDOMROAD FINANCIAL and its Collateral.

WHEREFORE, FREEDOMROAD FINANCIAL prays that this Court enter an order, after notice and a hearing, denying Debtor's Motion for Continuation of Automatic Stay. Objecting Party FREEDOMROAD FINANCIAL further requests that it be granted such other and further relief as is just.

Respectfully submitted,

QUILLING, SELANDER, LOWNDS, WINSLETT & MOSER, P.C.  
2001 Bryan Street, Suite 1800  
Dallas, TX 75201  
(214) 871-2100 (telephone)  
(214) 871-2111 (telefax)

By: /s/ Patrick M. Lynch  
Patrick M. Lynch  
State Bar Number 24065655  
Email: [plynch@qslwm.com](mailto:plynch@qslwm.com)

ATTORNEYS FOR MOVANT, FREEDOMROAD FINANCIAL

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was served upon the parties listed below by First Class Mail, postage prepaid, or by electronic filing notification, on May 13, 2022.

U.S. Trustee  
1100 Commerce Street, Room 976  
Dallas, TX 75242

Christopher Marvin Lee, Esq.  
Lee Law Firm, PLLC  
8701 Bedford Euless Road, Suite 510  
Hurst, TX 76053

Tim Truman, Trustee  
6851 N.E. Loop 80, Suite 300  
North Richland Hill, TX 76180

/s/Patrick M. Lynch  
Patrick M. Lynch